

HOUSE BILL 2709
By McMillan

AN ACT to amend Tennessee Code Annotated, Section 55-50-504, relative to driving while license is canceled, suspended or revoked.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-50-504(a)(2), is amended by deleting the subdivision in its entirety, and by substituting instead the following language:

(2) A second or subsequent violation of subdivision (a)(1) is a Class A misdemeanor. A second or subsequent violation of subdivision (a)(1) by a person who drives a motor vehicle on any public highway of this state at a time when the person's privilege to do so is canceled, suspended, or revoked because of a conviction for vehicular assault under §39-13-106, vehicular homicide under §39-12-213, or driving while intoxicated under §55-10-401 shall be punished by confinement for not less than forty-five (45) days nor more than eleven (11) months and twenty-nine (29) days, and in addition a fine may be imposed in the manner herein established. If a fine is imposed, the court shall impose a fine of three thousand dollars (\$3,000) and may impose more in the judge's discretion.

(3) For the purposes of subdivisions (a)(1) and (a)(2), a person's privilege to drive a motor vehicle is deemed to be canceled, suspended, or revoked for a conviction

for vehicular assault under §39-13-106, vehicular homicide under §39-12-213 or driving while intoxicated under §55-10-401 if the privilege has ever been canceled, suspended or revoked for one (1) of such reasons and the person had not reinstated his or her privilege following such conviction or convictions, regardless of whether or not the term of the previous cancellation, suspension or revocation period had expired at the time of the subsequent offense.

SECTION 2. Tennessee Code Annotated, Section 55-50-504(b), is amended by deleting the language “additional like period” and by substituting instead the language “additional period of time equal to the sentence imposed by the court, whether suspended or not”.

SECTION 2. This act shall take effect July 1, 1996, the public welfare requiring it.